

★ DEC 21 2011

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JUAN MORALES, et al.,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF CORRECTIONS;
CORRECTION OFFICER AINSWORTH RODNEY
(*Shield # 17830*); CORRECTION OFFICER
ALEXANDER MCDONALD (*Shield # 12019*),

Defendants.

10-CV-1615 (ARR)(JO)

NOT FOR
PRINT OR ELECTRONIC
PUBLICATION

ORDER

ROSS, United States District Judge:


The court has received the Report and Recommendation on the instant case dated November 2, 2011 from the Honorable Andrew L. Carter, United States Magistrate Judge.¹ No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Brissett v. Manhattan & Bronx Surface Transit Operating Auth., No. 09-CV-1930682 (CBA) (LB), 2011 WL 1930682, at *1 (E.D.N.Y. May 19, 2011). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Therefore, the court grants defendants' motion to dismiss, with prejudice, for failure to prosecute this case under Fed. R. Civ. P. 41(b). Because the court grants defendants' motion

¹ The case was reassigned to the Honorable James Orenstein, United States Magistrate Judge, on December 9, 2011.

under Rule 41(b), the court need not address whether dismissal would be appropriate under Rule 4(m). The Clerk of Court is directed to enter judgment accordingly.

SO ORDERED.



Allyne R. Ross
United States District Judge

Dated: December 19, 2011
Brooklyn, New York

SERVICE LIST:

Plaintiff:

Juan Morales
10-A-2936
Collins Correctional Facility
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